

## Message Text

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15

ACTION ORM-01

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FM AMCONSUL HONG KONG

TO SECSTATE WASHDC IMMEDIATE 3300

INFO AMEMBASSY LONDON

USLO PEKING

AMEMBASSY TOKYO

C O N F I D E N T I A L HONG KONG 13928

E.O. 11652: GDS

TAGS: SREF HK CH

SUBJ: REQUEST FOR POLITICAL ASYLUM

REF: STATE 281890 (NOTAL)

1. CONGENOFF DECEMBER 27 DISCUSSED REFTEL WITH HONG KONG GOVERNMENT (HKG) OFFICIAL (POLITICAL ADVISER, ALAN DONALD) TO ASCERTAIN HKG POSITION RE CASE OF TWO STOWAWAYS CHEW NG AND QWOCK-QEONG LIONG PER PARA 3 REFTEL. IN ENSUING DISCUSSION DONALD STATED THAT HKG COULD NOT GIVE CATEGORICAL ANSWER TO QUESTION POSED IN REFTEL BECAUSE FULL CIRCUMSTANCES AND RELEVANT FACTS OF TWO STOWAWAYS AND NOT KNOWN. SPEAKING PERSONALLY AND IN EXPLANATION OF VARIOUS KEY FACTORS THAT WOULD BEAR ON HKG'S DECISION, DONALD MADE FOLLOWING POINTS:

A. HKG IS DETERMINED NOT TO PERMIT HONG KONG TO BECOME " STAGING AREA" OR " CLEARNIG HOUSE" FOR ILLEGAL REFUGEES SEEKING EMIGRATION TO THIRD COUNTRIES. THIS APPLIES NOT ONLY TO ILLEGAL IMMIGRANTS FROM PRC BUT OTHER NEARBY COUNTRIES, SUCH AS VIETNAM, AS WELL. RE REFERS TO TROUBLESOME ASPECTS OF CASE OF 118 ILLEGAL ETHNIC CHINESE FROM SOUTH VIETNAM LAST JUNE (HONG KONG 6952).

B. HKG ON NOVEMBER 30 REVERTED TO PROCEDURES ON ILLEGAL IMMIGRANT WHICH HAD OBTAINED UP TO 1967, BY RETURNING TO PRC

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THOSE ILLEGALS APPREHENDED AT POINT OF ENTRY. DONALD EMPHASIZED

THESE ARRANGEMENTS CAME INTO EFFECT ON BASIS OF MUTUAL AGREEMENT WITH PRC. TECHNICALLY SINCE NEW ARRANGEMENTS CAME IN TO EFFECT NOVEMBER 30 AND IF STOWAWAYS DID IN FACT ENTER KOWLOON NOVEMBER 29, THEY MIGHT HAVE GROUND S FOR APPEAL TO STAY. LIKEWISE IF THEY HAD VALID CLAIMS TO PREVIOUS HONG KONG PERMANENT RESIDENCY. C. HKG HAD MADE CLEAR TO CHINESE THAT SOME ILLEGALS WOULD BE ALLOWED TO STAY IN HONG KONG ON BASIS OF HUMANITARIAN CONCERNS AND SPECIAL HARDSHIPS.

2. HOWEVER, DONALD CONTINUED THAT THE ABOVE NOTWITHSTANDING, IT WOULD BE POLITICALLY EMBARRASSING TO THE HKG IF THE TWO STOWAWAYS WERE ALLOWED TO RETURN TO HONG KONG, ESPECIALLY BECAUSE IT WOULD BE EXTEREMELY DIFFICULT TO AVOID PUBLICITY. OBVIOUSLY THE WHOLE SUBJECT OF ILLEGAL IMMIGRANTS WAS A SENSITIVE ONE. DONALD THOUGHTPRC AUTHORITIES NO DOUBT WOULD HAVE SEEN THE NEWSPAPERS REPORTS ABOUT THE TWO STOWAWAYS. THIS MIGHT BE ENOUGH TO COMPEL THE CHINESE TO ASK THAT THE TWO BE RETURNED TO CHINA. MOREOVER HE NOTED THAT IF A CASE COULD NOT BE MADE FOR GRANTING THE TWO STOWAWAYS POLITICAL ASYLUM IN THE U.S. HOW MUCH LESS WOULD THIS APPLY TO HONG KONG, A CLOSE NEIGHBOR OF THE PRC. COMMENTING THAT THESE WERE INITIAL REACTIONS ONLY, DONALD ADDED THAT HKG UNDOUBTEDLY WOULD HAVE TO TAKE INTO ACCOUNT THAT THE TWO STOWAWAYS MIGHT BE WANTED IN CHINA FOR CRIMINAL OFFENSES (OR AT LEAST PRC WOULD CLAIM SUCH)

AND THAT HGK WOULD THEN BE UNDER VERY DIFFICULT TO RESIST PRESSURES TO RETURN THEM.

3. COMMENT. IT WAS CLEAR FROM THE TENOR OF DONALD'S REMARKS THAT THE HKG DOES NOT WANT TO BE FACED WITH THE RETURN OF THE TWO STOWAWAYS (SEE HONG KONG 13324 RE UK AND HKG POLITICAL SENSITIVITIES ON THIS SCORE). IN FACT DONALD INDICATED HKG WOULD PROBABLY BE COMMUNICATING WITH FCO IN LONDON TO SEEK TO PREVENT RETURN TO HONG KONG OF TWO STOWAWAYS.  
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